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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 04, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MEGAN O.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 4:24-CV-5047-RMP

ORDER GRANTING STIPULATED
MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 12. Plaintiff Megan O.¹ is represented by attorney Kathryn Higgs. The Commissioner of Social Security is represented by Special Assistant United States Attorney W. Brian Jones.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 12**, is **GRANTED**. Plaintiff's Opening Brief, **ECF No. 8**, is **DENIED AS MOOT**.

¹ The Court uses Plaintiff's first name and last initial to protect her privacy.

1 Pursuant to the parties' stipulation, the Commissioner's final decision is
2 **reversed and remanded** under sentence four of 42 U.S.C. §405(g). *See* ECF No.
3 12 at 1–4. On remand, the Appeals Council will refer the case to an Administrative
4 Law Judge ("ALJ") with instructions to:

- 5 • Reevaluate Plaintiff's subjective statements;
- 6 • Reevaluate the opinion evidence;
- 7 • Offer Plaintiff an opportunity for a hearing;
- 8 • Take any further action needed to complete the administrative record;
and
- 9 • Issue a new decision.

10 *See id.*

11 Upon proper presentation, this Court will consider Plaintiff's application for
12 attorney's fees under 28 U.S.C. §§ 1920, 2412(d).

13 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
14 Order, provide copies to counsel, enter judgment in favor of Plaintiff, and **close the**
15 **file.**

16 **DATED** September 4, 2024.

17 _____
18 *s/ Rosanna Malouf Peterson*
ROSANNA MALOUF PETERSON
19 Senior United States District Judge
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